
Introduced by Senator Migden

February 15, 2005

An act to add Section 97.3 to the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to streets and highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 238, as introduced, Migden. Safety Enhancement-Double Fine Zones: Golden Gate Bridge.

Existing law provides for the designation of a specified segment of a state highway as a Safety Enhancement-Double Fine Zone.

This bill would designate the Golden Gate Bridge as a Safety Enhancement-Double Fine Zone, upon approval of a resolution designating it as such by the Golden Gate Bridge, Highway and Transportation District, and would impose an increased penalty for certain traffic violations committed on the bridge.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 97.3 is added to the Streets and
- 2 Highways Code, to read:
- 3 97.3. (a) The 1.73-mile segment that is the Golden Gate
- 4 Bridge shall be a Safety Enhancement-Double Fine Zone upon
- 5 approval of a resolution designating it as such by the Golden
- 6 Gate Bridge, Highway and Transportation District. The district,
- 7 in consultation with the department, shall assume all
- 8 responsibilities that would otherwise accrue to the department for

1 the administration of the Safety Enhancement-Double Fine Zone
2 designated pursuant to this section.

3 (b) The Safety Enhancement-Double Fine Zone described in
4 subdivision (a) is subject to the rules and regulations adopted by
5 the department prescribing uniform standards for warning signs
6 to notify motorists that, pursuant to Section 42010 of the Vehicle
7 Code, increased penalties apply for traffic violations that are
8 committed within a Safety Enhancement-Double Fine Zone. The
9 Golden Gate Bridge, Highway and Transportation District shall
10 place and maintain the warning signs identifying this segment by
11 stating that a “Special Safety Zone Region Begins Here” and a
12 “Special Safety Zone Ends Here.”

13 (c) Designation of the segment in subdivision (a) as a Safety
14 Enhancement-Double Fine Zone does not increase the civil
15 liability of the state or the Golden Gate Bridge, Highway and
16 Transportation District under Division 3.6 (commencing with
17 Section 810) of Title 1 of the Government Code or any other
18 provision of law relating to civil liability.

19 (d) (1) Only the base fine shall be enhanced pursuant to this
20 section.

21 (2) Notwithstanding any other provision of law, any additional
22 penalty, forfeiture, or assessment imposed by any other statute
23 shall be based on the amount of the base fine before enhancement
24 or doubling and shall not be based on the amount of the enhanced
25 fine imposed pursuant to this section.

26 (e) The project specified in subdivision (a), if eligible for state
27 funding, shall not be elevated in priority for state funding
28 purposes.

29 SEC. 2. Section 42010 is added to the Vehicle Code, to read:

30 42010. (a) For any offense specified in subdivision (b) that is
31 committed by the driver of a vehicle within an area that has been
32 designated as a Safety Enhancement-Double Fine Zone pursuant
33 to Section 97.3 of the Streets and Highways Code, the fine, in a
34 misdemeanor case, shall be double the amount otherwise
35 prescribed, and, in an infraction case, the fine shall be one
36 category higher than the penalty otherwise prescribed by the
37 uniform traffic penalty schedule established pursuant to Section
38 40310.

39 (b) A violation of any of the following provisions is an offense
40 that is subject to subdivision (a):

1 (1) Chapter 3 (commencing with Section 21650) of Division
2 11, relating to driving, overtaking, and passing.

3 (2) Chapter 7 (commencing with Section 22348) of Division
4 11, relating to speed limits.

5 (3) Section 23103, relating to reckless driving.

6 (4) Section 23104, relating to reckless driving that results in
7 bodily injury to another.

8 (5) Section 23109, relating to speed contests.

9 (6) Section 23152, relating to driving under the influence of
10 alcohol or a controlled substance, or a violation of Section
11 23103, as specified in Section 23103.5, relating to alcohol-related
12 reckless driving.

13 (7) Section 23153, relating to driving under the influence of
14 alcohol or a controlled substance, which results in bodily injury
15 to another.

16 (8) Section 23220, relating to drinking while driving.

17 (9) Section 23221, relating to drinking in a motor vehicle
18 while on the highway.

19 (10) Section 23222, relating to driving while possessing an
20 open alcoholic beverage container.

21 (11) Section 23223, relating to being in a vehicle on the
22 highway while possessing an open alcoholic beverage container.

23 (12) Section 23224, relating to being a driver or passenger
24 under the age of 21 possessing an open alcoholic beverage
25 container.

26 (13) Section 23225, relating to being the owner or driver of a
27 vehicle in which there is an open alcoholic beverage container.

28 (14) Section 23226, relating to being a passenger in a vehicle
29 in which there is an open alcoholic beverage container.

30 (c) This section applies only when traffic controls or warning
31 signs have been placed pursuant to Section 97.3 of the Streets
32 and Highways Code.

33 (d) (1) Notwithstanding any other provision of law, the
34 enhanced fine imposed pursuant to this section shall be based
35 only on the base fine imposed for the underlying offense and
36 shall not include any other enhancements imposed pursuant to
37 law.

38 (2) Notwithstanding any other provision of law, any additional
39 penalty, forfeiture, or assessment imposed by any other statute
40 shall be based on the amount of the base fine before enhancement

- 1 or doubling and shall not be based on the amount of the enhanced
- 2 fine imposed pursuant to this section.

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